



Division of Environmental Quality

Request for Approval to Begin Development of a Rulemaking

Program: Land Reclamation Program		Chapter #: 10 CSR 40 Rule #: 10.020, 10.050		Rulemaking type: Amendment	
Rule Title: Various					
Statutory Authority: 444.530 RSMo (1994)			Significance and Priority Levels: Medium Priority (Significant/nonsignificant) ; (High, Medium, Low Priority) <small>(see scoping meeting policy for definition)</small>		
REQUEST DISPOSITION			SIGNATURES		
LEGAL AUTHORITY	<input checked="" type="checkbox"/> ADEQUATE	<input type="checkbox"/> INADEQUATE	Legal Counsel : <i>Jennifer S. Graham</i> date: 2/3/00		
Submitted by →			Program Director: <i>Tom Chumpe</i> date: 12/28/99		
<input type="checkbox"/> APPROVE	<input type="checkbox"/> PARTIALLY APPROVE	<input type="checkbox"/> DISAPPROVE	Division Director: date:		

The following text contains the rationale for the action and a full explanation of the legal and policy basis for the proposed rulemaking. Included are how the rulemaking enhances and fits with the department's overall goals and mission. (Limit text to 1000 words if possible.)

THE ISSUE AND ITS BACKGROUND

These amendments make Missouri's rules on surface mining of industrial minerals include the Water Pollution Control Program's Water Quality Protection Guidelines for Sand and Gravel Excavation in the requirements for permit application submittal and as a requirement for operation during sand and gravel removal.

LEGAL / POLICY BASIS FOR RULEMAKING

Authority to adopt and promulgate rules is given to the Land Reclamation Commission in section § 444.530 RSMo. (1994).

RULEMAKING CONCEPT

The present rules do not address how sand and gravel miners must operate in a manner that will minimize water pollution and protect the integrity of the stream corridor. The above-mentioned guidelines will address this issue.

EXPECTED ENTITIES TO BE AFFECTED AND SIGNIFICANCE OF COSTS

Sand and gravel operators who remove these minerals from the stream corridor will be impacted. However, the private entity will not be significantly affected or incur costs as a result of these amendments.

This rulemaking does not require additional staff to implement. Therefore, the state agency will not incur costs in association with carrying out the responsibilities of these revised rules.

PROPOSERS / OPPONENTS

None.

RULE DEVELOPMENT PROCESS

A scoping meeting with the Mining Industry Council is Planned. Interdepartmental coordination will be conducted between the Land Reclamation and Water Pollution Programs as needed.

ANTICIPATED BENEFITS

This rulemaking will allow the State of Missouri to ensure that sand and gravel removal is conducted in a manner that will minimize the effects to the water resources of the state and help protect the stream corridor from accelerated erosion.

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